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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

In re: Claar Cellars, LLC

,

Debtor.

Case No. 20-00044

Chapter 11 Case

**BAKER BOYER BANK'S OBJECTION
TO DEBTORS' JOINT CHAPTER 11
PLAN OF REORGANIZATION**

In re RC Farms LLC,

Plaintiff,

vs.

,

Defendants.

Baker Boyer Bank, a secured creditor of Claar Cellars LLC ("Claar"), one of the administratively consolidated debtors in the case, now objects to the Debtor's Joint Chapter 11 Plan of Reorganization (the "Plan") on the following grounds:

1. The Plan fails to satisfy Code §1129(b)(1) and the Plan's treatment of Baker Boyer's claim is not fair and equitable. Without good reason, the plan eliminates virtually all of

1 the covenants contained under Baker Boyer's loan documentsBoth Claar and RC Farms LLC
2 ("RC", and collectively with Claar, the "Debtors") commenced their Chapter 11 cases with the
3 filing of separate petitions on January 9, 2020.

4 2. For example, Baker Boyer's loan documents provide that the death of one of the
5 guarantor's may constitute a default under the loan documents. Should the Plan be confirmed,
6 Baker Boyer could be forced to continue to deal with a Debtor whose ownership structure could
7 be substantially changed by the death or incapacity of one of the principals of the Debtor,
8 effectively resulting in an unbargained for change in the parties to the original agreement.

9 3. Further, while it may appear that secured creditors, including Baker Boyer, are
10 overcollateralized in the case, the proposed five year marketing period proposed by the Debtors
11 is too long without adequate court supervision or other deadlines with regard to how the Debtors
12 will liquidate. Instead, all the plan promises are delayed payments from a failing operation.

13 Accordingly, Baker Boyer requests that the Court deny confirmation of the Plan.

14 Dated: October 12, 2020

15 KIMEL LAW OFFICES

16 /s/ Metiner G Kimel
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